

Bates, Sammie - Video

Bates, Sammie on 7/31/2014 (30:1-31:16)

1 Q. And when you moved from Illinois to Texas in
2 kind of like the final move that you did in December of
3 2011, did you do anything to try and get a Texas ID at
4 that time?

5 A. Yes, it was in early 2012, I think, about
6 February, if I'm not mistaken. About the exact date,
7 I'm not sure, but that's when I first found out that I
8 needed one.

9 Q. And when you say you needed one, do you mean --
10 what do you mean by that?

11 A. Well, I meant that I need -- I knew I had to
12 get a Texas ID, but I was under the impression I could
13 use my -- have my Illinois ID changed over, you know,
14 to -- because if you do change your driver's license or
15 whatever number, I thought that was what you would have
16 to do. But that's when I find out I needed the birth
17 certificate or passport or something else they said.
18 But that birth certificate and Social Security card was
19 the only two things that -- that I need but to get all
20 of that other stuff they say I needed, I needed a birth
21 certificate.

22 Q. So when you tried to do that I think in the
23 beginning of 2012, you tried to -- did you try to get a
24 Texas driver's license?

25 A. No, I don't drive.

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1 Q. So what type of ID did you try to get in Texas
2 around that time?

3 A. Just the regular state ID like I had from
4 Illinois.

5 Q. Okay. So I misunderstood. So your Illinois ID
6 card, it was just an Illinois state identification card;
7 is that correct?

8 A. Yes.

9 Q. And so you tried to get a Texas identification
10 card?

11 A. Yes.

12 Q. And what was the reason you wanted to get a
13 Texas identification card?

14 A. I wanted to have an identification card where I
15 was living at, because I assumed you're supposed to have
16 one like the same as I had in Illinois, so.

Bates, Sammie on 7/31/2014 (43:16-44:23)

16 You talked a little bit with Ms. Rudd
17 about a Texas Election Identification Certificate. Do
18 you know what you can do with a Texas Election
19 Identification Certificate?

20 A. Show it when you go to vote.

21 Q. Okay. And is it your understanding -- it's my
22 understanding that you can only use an Election
23 Identification Certificate to vote. Are you aware of
24 that?



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25 A. Since I've heard of it, that's what it is,

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1 that's what I assumed it was.

2 Q. And so for a Texas identification card, do you
3 know what you can do with that, not an EIC, but just the
4 identification card?

5 A. Yes.

6 Q. What is your understanding of what you can use
7 a Texas identification card for?

8 A. Identifying yourself, identifying yourself and
9 showing where you live.

10 Q. And so if you had a choice, because I
11 understand you don't drive, and -- I mean, what -- if
12 you had a choice to get any ID in Texas, whether it's
13 state or federal, what ID would you choose to get,
14 including a driver's license, a passport, a concealed
15 handgun license, an identification card or an Election
16 Identification Card, when you go to get an ID, what --
17 what ID do you want to get?

18 A. Well, I would want to get that ID card where I
19 can do more with it. Where I don't need one where I
20 can't do nothing but one thing with it. I would need an
21 ID, a state ID card.

22 Q. And what is your reasoning behind that? Why do
23 you feel that way?

Bates, Sammie on 7/31/2014 (45:1-45:10)

1 A. If I have only the Texas election card. I
2 mean, that's all I can use it for. Whenever I have a
3 need, you know, to get my medical, all my medical
4 records changed with my ID on it, I would want the state
5 ID. If I had just the election, I couldn't get that,
6 so...

7 Q. (By Ms. Roscetti) So it's my understanding
8 that you want an identification card for more than just
9 voting. Is that a correct understanding?

10 A. Yes, I plan on getting me one.

Bates, Sammie on 7/31/2014 (46:6-46:10)

6 (Exhibit 1 marked for identification.)

7 Q. (By Ms. Roscetti) Ms. Bates, I'm handing you
8 what's been marked as Defendant's SB-1, and I'd ask that
9 you take a look at it. Take as much time as you need to
10 look it over.

Bates, Sammie on 7/31/2014 (46:21-48:8)

21 Q. (By Ms. Roscetti) Ms. Bates, have you had
22 enough time to look that exhibit over?

23 A. Well, when they send you this thing, a ballot
24 by mail, all of the PDF, ABBM and all of that other
25 stuff, they explain what that is on them?

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1 Q. Well, I'm was going to kind of walk you -- walk

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2 through with this and see -- see if we can get a general
3 understanding. But what this is, if you look, you see
4 the -- it says the Texas Secretary of State kind of in
5 the top left corner. Do you see that?
6 A. Uh-huh.
7 Q. Is that a "yes"?
8 A. Yes.
9 Q. Okay. And then it says Nandita Berry. Do you
10 see that?
11 A. Yes.
12 Q. Okay. And if you look up even further above
13 that, it has the website address with the
14 <http://www.sos.stateoftexas>. Do you see that up in the
15 address line up here?
16 A. Yes.
17 Q. Okay. If you flip to the very back page -- oh,
18 I'm sorry, it's not on this. But on -- what I did was I
19 printed out a website from the Texas Secretary of State
20 for the application by mail-in ballot to -- to kind see
21 the requirement. And if you look to the front page, it
22 says, "Application for a ballot by mail." Do you see
23 that?
24 A. Yes.
25 Q. And the text. And under that it says, "To be

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1 eligible to vote early by mail-in Texas, you must..." Do
2 you see that line?
3 A. Yes.
4 Q. And underneath it has four bullets, and the
5 first one says, "Be 65 years or older"?
6 A. Yes.
7 Q. And Ms. Bates, are you 65 years or older?
8 A. Yes.

Bates, Sammie on 7/31/2014 (48:11-49:19)

11 And then if you look underneath that, the
12 four bullets, it says, "Instructions for submitting an
13 application by mail" -- excuse me, I read that wrong.
14 "Instructions for submitting an application for ballot
15 by mail (ABBM)." Do you see that?
16 A. Yes.
17 Q. And it lists the steps, it says, "Print the
18 PDF." It list steps 1 through 6. Do you see those?
19 A. Yes.
20 Q. Okay. And so what I did was when it says
21 "Print PDF," I printed out -- I followed that PDF. And
22 I'm going to hand you the exhibit.
23 (Exhibit 2 marked for identification.)
24 Q. (By Ms. Roscetti) Ms. Bates, I'm handing you
25 exhibit -- Defendant's Exhibit SB-2. And so do you see

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1 it says, "Application for ballot mail"?
2 A. Yes.

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3 Q. And then underneath that it has kind of the
4 steps you can go through to fill out this ballot.
5 The -- next to the Number 1 it asks you to fill out your
6 name. Do you see that?
7 A. Yes.
8 Q. Would you able to do that?
9 A. Yes.
10 Q. What about Number 2, "With the residence," do
11 you see that?
12 A. Yes.
13 Q. Would you be able to fill out your residence as
14 well?
15 A. Yes, I can fill this out.
16 Q. Do you think -- do you think you would be able
17 to fill out this whole mail-in ballot -- or, I'm sorry,
18 this whole application for mail-in ballot?
19 A. Yes. I can -- why are you asking me about

Bates, Sammie on 7/31/2014 (50:4-51:11)

4 Q. And so is it your understanding that you -- you
5 -- so it's my understanding you would be able to fill
6 out this application for a ballot by mail?
7 A. Yes.
8 Q. And would it be an expense for you to send this
9 application -- well, can we flip to the second page of
10 this Defendant's Exhibit 2, SB-2. And if you see on the
11 second page, it says, "Instructions for application for
12 ballot by mail"; is that correct, Ms. Bates?
13 A. Yes.
14 Q. And if you go down to midway, there's a black
15 box with white writing that says, "Submitting
16 Application." Do you see that section?
17 A. Yes.
18 Q. And basically, it has two steps, and it says,
19 "Sign and date your application," in bold next to Number
20 1. Do you see that?
21 A. Yes.
22 Q. Which -- and we've already established you
23 would be able to do that, correct?
24 A. Yes.
25 Q. And then it says, "2: Deliver to early voting
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1 clerk." Do you see that?
2 A. Yes.
3 Q. And underneath that, it has one -- four options
4 underlined. Do you see those?
5 A. Yes.
6 Q. One's In Person; one's By Mail; one's By Fax;
7 or one's By Common Contract Carrier?
8 A. Yes.
9 Q. Would you able to do one of those to submit
10 your application by mail?
11 A. Yes.

Bates, Sammie on 7/31/2014 (51:13-51:22)

Bates, Sammie - Video

13 saying you have to do it that way. Now, if you look
14 down to the next box it says "Deadline" in white writing
15 on the black?
16 A. Yes.
17 Q. And it says, "Your application must be received
18 by the early voting clerk of the local entity conducting
19 the election not later than nine days" -- "than the
20 ninth day before the election date." Did I read that
21 correctly?
22 A. Yes.

Bates, Sammie on 7/31/2014 (53:12-53:18)

12 Q. (By Ms. Roscetti) Okay. So if you -- if you
13 had a choice to vote by mail or not vote at all, would
14 you choose to vote my mail?
15 A. Yes, if that was my only option.
16 Q. Okay. And no one spoke to you about voting by
17 mail before the November 2013 election?
18 A. No.

Bates, Sammie on 7/31/2014 (54:18-55:2)

18 Q. After you cast your provisional ballot, did you
19 get anything in the mail regarding that ballot?
20 A. No, I got a phone call that -- from the place,
21 and they asked me, did I know that I had to bring in
22 some more documentation before it would be, you know,
23 could be registered as a vote. And I told them yes.
24 And she told me that I had, after I received the phone
25 call, it was just two days to the time that I needed to

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1 present them with the documentation, which I didn't have
2 at that time.

Bates, Sammie on 7/31/2014 (55:13-55:17)

13 very open question. Did you ever get a letter in the
14 mail regarding your provisional ballot?
15 A. No.
16 Q. Okay. So how do you know if your provisional
17 ballot counted or not?

Bates, Sammie on 7/31/2014 (55:20-55:23)

20 A. Well, I just assumed it didn't, because they
21 told me it would not be counted if I didn't have the
22 documentation in by that date. Since I didn't have it
23 in, to me, it meant it didn't -- it wasn't counted.

Bates, Sammie on 7/31/2014 (35:19-36:1)

19 Q. So when you came, did you open a new bank
20 account when you came to Texas?
21 A. Yes.
22 Q. Did you have to show an ID to open that bank
23 account?
24 A. Yes.
25 Q. Do you recall what ID you showed?

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1 A. The paperwork that I had from Illinois.

Bates, Sammie on 7/31/2014 (36:22-36:24)

22 Q. Have you ever done that recently where you've
23 had to deposit money into your account with those
24 deposit slips?

Bates, Sammie on 7/31/2014 (37:2-37:14)

2 A. Yes.

3 Q. (By Ms. Roscetti) And when you do that, do you
4 have to show an ID to do that?

5 A. I put the Illinois ID is still in there and
6 they --

7 Q. Okay.

8 A. Because that's what I use at the drive-through,
9 and I just endorse whatever check it is and put the
10 deposit slip with the amount it is on there and the ID
11 and put it in there.

12 Q. So you just use your Illinois identification
13 card?

14 A. Yes.

Bates, Sammie on 7/31/2014 (38:17-38:25)

17 Q. Okay. Have you ever rented a book from the
18 Texas public library?

19 A. Yes.

20 Q. And what ID did you use to do that?

21 A. Illinois. It had my name and everything
22 changed. I told them, you know, that I was moving here
23 from Illinois, and I don't have anything else. That's
24 it. I just filled out the application and they sent me
25 the card.

Bates, Sammie on 7/31/2014 (39:9-39:16)

9 Q. Do you have any insurance policies that are at
10 least two years old?

11 A. Yes.

12 Q. Is it health insurance?

13 A. Yes.

14 Q. And the ID you used for that, is that also your
15 Illinois -- Illinois identification card?

16 A. Yes.

Bates, Sammie on 7/31/2014 (40:7-40:12)

7 Q. And do you have a copy of your marriage
8 license?

9 A. Yes.

10 Q. And when I say do you have, it's at home
11 somewhere?

12 A. Yes.